

Approved:

  
Evan B. Finkel

Before: HON. ROBERT W. LEHRBURGER  
United States Magistrate Judge  
Southern District of New York

UNITED STATES OF AMERICA

- v. -

VICTOR JAVIER RODRIGUEZ,

Defendant.

## COMPLAINT

Violation of  
21 U.S.C. § 846

COUNTY OF OFFENSE:  
BRONX

SOUTHERN DISTRICT OF NEW YORK, ss.:

RICHARD LAVORATO, being duly sworn, deposes and says that he is a Special Agent with the Drug Enforcement Administration ("DEA") and charges as follows:

COUNT ONE

1. On or about April 3, 2019, in the Southern District of New York and elsewhere, VICTOR JAVIER RODRIGUEZ, the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that VICTOR JAVIER RODRIGUEZ, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance that VICTOR JAVIER RODRIGUEZ, the defendant, conspired to distribute and possess with intent to distribute were (i) 500 grams and more of mixtures and substances containing a detectable amount of cocaine in violation of Title 21, United States Code, Section 841(b)(1)(B); and (ii) mixtures and substances containing a detectable amount of oxycodone, in violation of Title 21, United States Code, Section 841(b)(1)(C).

(Title 21, United States Code, Section 846.)

The bases for my knowledge and for the foregoing charge are, in part, as follows:

4. I am a Special Agent with the DEA and I have been personally involved in the investigation of this matter. This affidavit is based upon my personal participation in the investigation of this matter, and my review of documents as well as my conversations with law enforcement agents and witnesses. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

5. Based on my participation in this investigation, my review of law enforcement reports and records, and my conversations with other law enforcement officers, I have learned the following, in substance and in part:

a. On or about April 3, 2019, I and other law enforcement officers observed a particular automobile ("Automobile-1") parked in the vicinity of the Bronx, New York. Thereafter, a particular individual ("CC-1") carrying a coat and what appeared to be an object underneath the coat approached Automobile-1. While approaching Automobile-1, CC-1 dropped the object, which appeared to be shaped like a brick. CC-1 quickly picked up the object and entered Automobile-1. Moments later, CC-1, who did not appear to be carrying the object, exited Automobile-1, entered another automobile, and drove away.

b. Law enforcement officers followed Automobile-1 as it left its parking spot and drove down the street for several blocks. We then observed Automobile-1 drive through a red stop light, which is a violation of New York State traffic law.

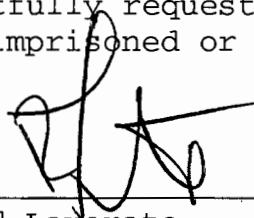
c. Based on our observations of the traffic infraction described above, we conducted a traffic stop of Automobile-1. The driver of Automobile-1 was later identified as VICTOR JAVIER RODRIGUEZ, the defendant. No other individuals were in Automobile-1.

d. We approached Automobile-1 and requested permission to search Automobile-1. RODRIGUEZ provided verbal consent to search Automobile-1. During the search, we located approximately \$20,000 in the glove compartment, which based on my training, experience and involvement in this investigation, appeared to proceeds from narcotics trafficking. RODRIGUEZ denied the money was his. RODRIGUEZ was placed under arrest and transported to a DEA office.

e. At the DEA office, Rodriguez was advised of his *Miranda* rights. RODRIGUEZ agreed to speak with us. RODRIGUEZ then provided written consent to allow us to search Automobile-1. During the search, law enforcement officers located a secret compartment in the rear passenger seat of Automobile-1. Inside this compartment were: (1) hundreds of small pills, which weighed approximately 270 grams. Based on my training and experience, I believe that the pills are oxycodone; and (2) a brick-like object containing a white powdery substance that appears, based on my training and experience as well as my involvement in this investigation, to be one kilogram of cocaine.

f. RODRIGUEZ later stated to the Officers, in substance and in part, that there was approximately 800-900 grams of "cocaine" in Automobile-1.

WHEREFORE, deponent respectfully requests that VICTOR JAVIER RODRIGUEZ, the defendant, be imprisoned or bailed, as the case may be.



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Richard Lavorato  
Special Agent  
Drug Enforcement Administration

Sworn to before me this  
4th day of April, 2019



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THE HONORABLE ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK